



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 133] Jammu, Thu., the 29th October, 2020/7th Kart., 1942. [No. 31
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PART I-A

Jammu & Kashmir Government—Orders

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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
 (Exercising powers of Bar Council under Section 58 of the Advocates
 Act, 1961).

Notification

No. 1694 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020 Ms. Shagun Bharti D/o Madan Lal R/o H. No. 85, Manoh, Tehsil and District Akhnoor, Jammu A/P SOS Children Village Munshi Chowk, Gole Gujral, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-141/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 1695 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020 Ms. Shaista Farooq D/o Farooq Ahmad Mir R/o Samboora, Akram Dar Mohalla, Tehsil Pampore, District Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council

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provisionally for a period of one year from the date of issuance of this
notification, subject to the verification of her Provisional/LL.B Degree
Certificate from the concerned University and verification of her
character and antecedents from CID. Her name has been entered under
Serial No. JK-132/2020 in the Roll of Advocates maintained by this
Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1696 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020
Ms. Shivantika Gupta D/o Sanjay Gupta R/o Bhimber, Bakshi Nagar,
Jammu A/P House No. 16, Ward No. 41, Friends Colony, Opp. BSF
Headquarter, Paloura, Jammu has been admitted and enrolled as an
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally
for a period of one year from the date of issuance of this notification,
subject to the verification of her Provisional/LL.B Degree Certificate
from the concerned University and verification of her character
and antecedents from CID. Her name has been entered under Serial
No. JK-140/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1698 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020
Ms. Sahiba Banotra D/o Satish Chander Banotra R/o House No. 20-B,

Lane No. 1, Basant Nagar, Janipur, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-143/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 1699 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020 Ms. Shazra Malik D/o Imtiaz Ah. Malik R/o Bhaderwah, Dharampura, Doda A/P Tej Bahadur Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-145/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Additional Registrar.



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Separate paging is given to this part in order that it may be filed as a
separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,

CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 267-Rev (LAJ) of 2019

Dated 25-10-2019.

Whereas, the land specifications whereof are given below is required for public purpose viz., for relocation of 132 KV D/C Transmission Line Towers (Tower No. KP-86) due to four lanning of National Highway (NH-44), situated in Village Lower Bali, Tehsil and District Udhampur by NHAI ;

Specifications of land

District	Tehsil	Village	Location No.	Kh. No.	Area
Udhampur	Udhampur	Lower Bali	KP-86	903	01605

Whereas, on the basis of an indent placed by Project Director NHAI, PIU, Jammu, a notification under section 4(1) was issued by Collector,

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Land Acquisition (ADC), Udhampur vide No. LA/ADC/1598-1606 dated
20-09-2019 for land measuring 01 Kanal and 05 Marlas, situated in Village
Lower Bali, Tehsil and District Udhampur ;

Whereas, the Collector, Land Acquisition (ADC), Udhampur vide
No. LA/ADC/1726 dated 12-10-2019 has reported that the notification
issued under section 4(1) of the J&K State Land Acquisition Act was served
upon the interested persons for filing objections, if any, to the proposed
acquisition but no objection was received from the land owners linterested
persons in the prescribed time period as required under sections 5 & 5-A of
the Land Acquisition Act ;

Whereas the report furnished by Collector, Land Acquisition (ADC),
Udhampur vide number referred to above duly endorsed by Deputy
Commissioner, Udhampur vide No. LA/DCU/1727-29 dated 12-10-2019,
Divisional Commissioner, Jammu vide No. 502/3773/NHAI/Lower Bali/
Udr/19/2561 dated 19-10-2019 and by the Financial Commissioner, Revenue
vide No. FC-LS/LA-5087/2019 dated 23-10-2019 has been examined and
it has been found that the land owners did not file any objection to the
proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof
are given above is required for public purpose viz. for relocation of 132 KV
D/C Transmission Line Towers (Tower No. KP-86) due to four lanning of
National Highway (NH-44), situated in Village Lower Bali, Tehsil and District
Udhampur by NHAI.

Now, therefore, in pursuance of section 6 of the J&K State Land
Acquisition Act, Samvat 1990, it is declared that land measuring 01 Kanal
and 05 Marlas, situated in Village Lower Bali, Tehsil and District Udhampur,
particulars whereof are given above is required for public purpose viz. for
relocation of 132 KV D/C Transmission Line Towers (Tower No. KP-86)
due to four lanning of National Highway (NH-44), situated in Village Lower
Bali, Tehsil and District Udhampur by NHAI. Further, the Collector, Land
Acquisition (ADC), Udhampur is directed under section 7 of the said Act
to take order for acquisition of the said land after giving prescribed notice
to the interested person(s) as required under the Land Acquisition Act/
Rules.

Now, in pursuance of section 17 of the Land Acquisition Act.Samvat
1990, it is ordered that on expiry of fifteen days from the publication of the
notification under section 9(2) of the said Act, the Collector will take

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possession of the aforementioned land in Village Lower Bali, Tehsil and District Udhampur required for public purpose, subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/ rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT^o REVENUE DEPARTMENT.

Notification No. 270-Rev (LAJ) of 2019

Dated 25-10-2019.

Whereas, the land specifications whereof are given in Annexure "A" to this notification is required for public purpose viz. for construction of road from Pamrote to Lathoong, situated in Village Kallar Kattal, Tehsil Surankote, District Poonch under PMGSY (PKG No. JK11-60) ;

Whereas, on the basis of an indent placed by Executive Engineer, PMGSY Division, Poonch vide No. EE/PMGSY/P/999-99 dated 18-07-2016, a notification under section 4(1) was issued by Collector, Land Acquisition (SDM), Surankote vide No. SDM/Skt/LA/166 dated 14-09-2018 for land measuring 102 Kanals, 08 Marlas and 03 Sirsai, situated in Village Kallar Kattal, Tehsil Surankote, District Poonch ;

Whereas, the District Collector (DC), Poonch vide No. DCP/LA/1075 dated 26-09-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners linterested persons in

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the prescribed time period as required under sections 5 & 5-A of the Land
Acquisition Act ;

Whereas, the report furnished by District Collector (DC), Poonch vide No. referred to above duly endorsed by the Divisional Commissioner, Jammu vide No. 502/3698/PMGSY/Kallar-Kattal/P/19/2506 dated 15-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5084/2019 dated 23-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in "Annexure-A" to this notification. is required for public purpose viz. for construction of road from Pamrote to Lathoong, situated in Village Kallar Kattal, Tehsil Surankote, District Poonch under PMGSY (PKG No. JK11-60).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 102 Kanals, 08 Marlas and 03 Sirsai, situated in Village Kallar Kattal, Tehsil Surankote, District Poonch, particulars whereof are given in "Annexure -A" to this notification, is required for public purposes viz. for construction of road from Pamrote to Lathoong, situated in Village Kallar Kattal, Tehsil Surankote, District Poonch under PMGSY(PKG No. JK11-60). Further, the Collector, Land Acquisition (ACR), Poonch is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/ Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
Revenue Department.

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201	04-16-00
220	00-12-00
233	00-11-00
234	01-01-00
235	00-15-00
244	00-05-04
246	02-07-00
271	00-15-00
273	01-11-00
274	00-05-00
283	03-13-00
285	00-01-00
286	08-00-00
287	01-18-00
288	00-15-00
292	00-04-03
305	02-18-00
306	03-16-00
307	03-09-00
318	01-17-00
336	00-11-00
336	03-06-00
339	00-01-00
340	00-17-00

Whereas, on the basis of an indent placed by Chief Medical Officer, Kishtwar vide No. 991-94 dated: 02-12-2009 and No. CMO/K/Plg/17-18/52/30-20-25 dated 06-10-2017, a notification under section 4(1) was issued by Collector, Land Acquisition (SDM), Chatroo vide No. SDMC/LA/18/184-90 dated 17-04-2018 for land measuring 02 Kanals and 03 Marlas, situated in Village Chatroo, Tehsil Chhatroo, District Kishtwar ;

Whereas, the Collector, Land Acquisition (SDM), Chhatroo vide No. SDM/C/LA/19/148 dated 28-09-2019 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Chhatroo vide number referred to above duly endorsed by Deputy Commissioner, Kishtwar vide No. DCK/LA/2019/257-79 dated 30-09-2019, Divisional Commissioner, Kashmir vide No. 502/3715/Acq/Chatroo/Kishtawar/19/3436 dated 05-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5036/2019 dated 23-10-2019 has been examined and It has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of New Type Sub-Centre, Gurinal (Allopathetic Dispensary) situated in Village Chatroo, Tehsil Chhatroo, District Kishtwar by Health and Family Welfare, Kishtwar ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 02 Kanals and 03 Marlas, situated in Village Chatroo, Tehsil Chhatroo, District Kishtwar, particulars whereof are given above is required for public purpose viz. for construction of New Type Sub-Centre, Gurinal (Allopathetic Dispensary) situated in Village Chatroo, Tehsil Chhatroo, District Kishtwar by Health and Family Welfare, Kishtwar. Further, the Collector, Land Acquisition (SDM), Chhatroo is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Chatroo, Tehsil Chatroo, District Kishtwar required for public purpose, subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

(Sd.) ABDUL MAJID,

Secretary to Government,
Revenue Department.



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PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In compliance to Govt. Order No. 772-JK(GAD) of 2020 dated 19-08-2020 issued by General Administration Department (Services), Civil Secretariat, Srinagar vide Endtt. No. GAD(Ser)/IAS/26/2020 dated 19-08-2020, we do hereby handover and takeover the charge of the post of Managing Director/CEO, Jammu/Srinagar Mass Rapid Transit Corporation today on 20th August, 2020 (FN).

(Sd.) VIKAS KUNDAL, IAS,

Relieved Officer.

(Sd.) ANKITA KAR, IRAS,

Relieving Officer.

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Certified that we have in the forenoon/afternoon of this day
respectively made over and received charge of the Office of Additional
Special Mobile Magistrate, Udhampur.

Station : Udhampur.

Dated : 31-07-2019.

(Sd.)

Munsiff,
District Judicial Mobile Magistrate,
Udhampur.

Relieved Officer.

(Sd.)

Additional Special Mobile Magistrate,
Udhampur.

Relieving Officer.



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PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
DEFENCE,
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :ô Notice under sections 9 & 9A of the Land Acquisition Act, to
the persons interested in the land to be acquired.

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Whereas, the land whose specification is given below is required for public purpose namely for construction of two lane Paved Shoulder road on existing double lane by GREF, declared by J&K Government, Revenue Department vide Notification No. 49-Rev(LAJ) of 2020 dated 27-05-2020 issued under endorsement No. Rev/LAJ/22/2020 dated 27-05-2020. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
Rajouri	Sounderbani	Balshama	391	K. M. 00610
			393	00602
			395	00604
			396	00605
			441	00609
			441 min	00618
				ô ô ô ô ô
			Total	02608
				ô ô ô ô ô

(Sd.) MOHAMMAD ASHRAF, KAS,

Collector,
Land Acquisition, Defence,
Poonch-Rajouri HQ, Rajouri.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
DEFENCE,
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :ô Notice under sections 9 & 9A of the Land Acquisition Act, to the
persons interested in the land to be acquired.

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Whereas, the land whose specification is given below is required for
public purpose namely for widening of Rajouri-Kandi-Budhal road by GREF,
declared by J&K Government, Revenue Department vide Notification
No. 156-Rev(LAJ) of 2020 dated 15-06-2020 issued under endorsement
No. Rev/LAJ/44/2020 dated 15-06-2020. All the persons interested in the
said land are informed to attend this office personally or by an agent within

15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
1	2	3	4	5
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
				K. M. S.
Rajouri	Koteranka	Phalni	103	00610600
			113	00609600
			126 min	00613600
			136	00611600
			136 min	00612600
			210	00601600
			225	00602600
			235 min	00604604
			241	00605600
			439	00601600
			440	01605600
			529	00604600
			532	00612600
			535	00616600
			535 min	00603600
			535 min	00603600
			560 min	01609600
			579	03601600
			581	00601600
			626	01604600

Collector,
Land Acquisition, Defence,
Poonch-Rajouri HQ, Rajouri.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
DEFENCE,
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject : Notice under sections 9 & 9A of the Land Acquisition Act, to the persons interested in the land to be acquired.

$$\hat{O} \quad \hat{O} \quad \hat{O} \quad \hat{O}$$

Whereas, the land whose specification is given below is required for public purpose namely for widening of Rajouri-Kandi-Budhal road by GREF, declared by J&K Government, Revenue Department vide Notification No. 38-Rev(LAJ) of 2020 dated 27-05-2020 issued under endorsement No. Rev/LAJ/45/2020 dated 27-05-2020. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
1	2	3	4	5
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
				K. M. S.
Rajouri	Koteranka	Tralla Gujjrian	104	00603600
			180 min	02602600
			201	03606600
			234	03604600
			376	02605600
			530	01604600
			542	00615600
			178	02605600
			597	00600602
			184	00609600
			180 min	05601600
			180/1	09616600
			200	00600602
			528 min	21612602
			528/1	06604600
				ô ô ô ô ô
			Total	58606606
				ô ô ô ô ô

(Sd.) MOHAMMAD ASHRAF, KAS,

Collector,
Land Acquisition, Defence,
Poonch-Rajouri HQ, Rajouri.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE COLLECTOR LAND ACQUISITION
DEFENCE,
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :ô Notice under sections 9 & 9A of the land Acquisition Act, to the persons interested in the land to be acquired.

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Whereas, the land whose specification is given below is required for public purpose namely for Widening of Jammu-Rajouri-Poonch road by GREF, declared by J&K Government, Revenue Department vide notification No. 28-Rev(LAJ) of 2020 dated 27-05-2020 issued under endorsement No. Rev/LAJ/121/2020 dated 27-05-2020. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
1	2	3	4	5
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
				K. M.
Rajouri	Nowshera	Bagnoti	130	00611
			134	02607
			137	00605
			139	00610
			150	05608
			152	00618
			154	01607
			168 min	00608
			170	02605
			175	00606
			188	00615
			201	01600

Notice

Notice

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE EXECUTIVE OFFICER,
MUNICIPAL COMMITTEE, KOKERNAG.

Public Notice

“SAY NO TO POLYTHENE TODAY FOR A BETTER TOMMOROW”

It is for the information of general public of Kokernag Town/that sale and use of polythene carry bags and allied products of less than 50 microns has been banned by the Government and is an offence which attracts penalty and imprisonment. Less than 50 Microns thickness polythene does not find disposal in open, resulting in sanitary conditions and being non-biodegradable caused many other environment problems. In order to curb the menace of Single Use Plastic, the Government vide SRO-231 dated 26-03-2019, has also banned non-biodegradable disposal items such as disposal plates, disposal cups, bowls and tumblers, disposal spoons, forks and knives and the use/storage/manufacturing/trading etc. Of such banned items is an offence which also attracts penalty and imprisonment. Accordingly, the citizens of Town Kokernag are requested to “Say No” to polythene/carry bags and shun the use of all such plastic items having less than 50 micron thickness, as it is illegal and detrimental to human health and environment, and use co-friendly alternatives.

In terms of Rule-3(9) R/W Rule 15 (E) (ZF) and (ZG) of Solid Waste Management Rules, 2016, The Jammu and Kashmir Solid Waste Management By-Laws already published by Housing and Urban Development Department vide Government Order No. 168-HUD of 2019 dated 03-07-2019 is hereby notified for adoption and implementation within the limits of Municipal Committee, Kokernag. The copy of By-Laws is available at the Office of Municipal Committee, Kokernag and even can be visited on website Housing and Urban Development Department.

(Sd.)

Executive Officer,
Municipal Committee,
Kokernag.

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Notice

I, Jasbir Kour (Old Name) D/o Rajinder Singh R/o Kalyana P/O Arnia, has changed my name from Jasbir Kour (Old Name) to Jaswinder Kour (New Name). I do hereby assume from this date the name/surname Jaswinder Kour (New Name).

70 The J&K Govt. Gazette, 29th Oct., 2020/7th Kart., 1942. [No. 31
oo

JAMMU AND KASHMIR POLICE HEADQUARTER

Cancellation of Tender

Subject :ô This Hqrs. e-NIT No. 29 of 2020 dated 10-07-2020.

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The e-NIT No. 29 of 2020 dated 10-07-2020 floated by the Hqrs.
for procurement of Stationery Items (Paper) is hereby cancelled in
terms of Clause (V) of General Terms and Conditions of e-NIT due
to administrative reasons.

(Sd.) VARUN JANDIAL, JKPS,

Dy. SP (Provision/Transport)
For Director General of Police,
J&K, Srinagar.

رجسٹرڈ نمبر جے کے۔33



सत्यमेव जयते

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 133۔ جموں۔ مورخہ 29 اکتوبر 2020ء بمطابق 7 کارٹکا 1942 ویروار۔ نمبر 31

اشتہارات

از عدالت سب جج سپیشل موبائل مجسٹریٹ جموں

سرکار بنام سُمیش گپتا وغیرہ

مثل نمبر 49/چالان تاریخ دائرہ 28-05-2019

آئندہ تاریخ 15-05-2020

علت نمبر 124 سال 2018ء تھانہ پولیس کانہ چک

بجرائم زیر دفعات 454/380 RPC

از عدالت سپیشل ایکسائز موبائل مجسٹریٹ جموں

سرکار بنام امت سنگھ

علت نمبر 62 سال 2006ء تھانہ پولیس باؤ فورٹ جموں

بجرائم زیر دفعات 341/326/34.RPC & 4/25 A Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : امت سنگھ ولد سر جو سنگھ ساکنہ لاسٹ موٹر گاندھی نگر جموں

حکم بنام اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم امت سنگھ ولد سر جو سنگھ ساکنہ لاسٹ موٹر گاندھی نگر جموں گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

دستخط : سپیشل ایکسائز موبائل مجسٹریٹ جموں۔

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزمان :

(1) Pawan Kumar @ Zuba S/o Babu Ram R/o Nagrota
Gho-Manhasan Teh. Marh, Distt. Jammu.

بنام اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں آپکو تحریر کیا جاتا ہے کہ ملزم مذکور عرصہ سے طلب کیا جا رہا ہے۔ الا ملزم حاضر عدالت نہ ہوتا ہے، اس نسبت تعمیل کنندہ کا بیان بھی قلمبند کیا گیا ہے۔ تعمیل کنندہ کا بیان ہے کہ ملزم کو علاقہ ہذا میں کافی تلاش کیا گیا اور وہ دستیاب نہ ہوا، بیان تعمیل کنندہ و مقدمہ مثل سے پایا ہے کہ ملزم کی تعمیل مقدمہ میں ہونی مشکل ہے۔

لہذا ملزم کے خلاف وارنٹ گشتی عام جاری کیا جاتا ہے اور اہلکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ وہ ملزم مذکور جموں و کشمیر جہاں کہیں بھی دستیاب ہو، گرفتار کر کے روبرو عدالت ہذا میں پیش کریں۔ وارنٹ ہذا میعاد تا دستیابی ملزم زیر کار رہے گا۔ تحریر 25-02-2020

دستخط : سب جج سپیشل موبائل مجسٹریٹ جموں۔

از عدالت فسط ایڈیشنل منصف فارسٹ مجسٹریٹ جموں

سرکار بنام سکھویندر سنگھ وغیرہ

علت نمبر 97 سال 2020ء تھانہ پولیس یوٹی گنگیال

بجرائم زیر دفعات 457,380 IPC

وارنٹ گشتی عام زیر دفعہ 299 ض ف

حکم بنام اہلکاران پولیس جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم رام کمار عرف رامو ولد گوپی چند ساکنہ کوڑی کنتھان تحصیل ارناس ضلع ریاسی گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 299 ض ف بعمل لائی جا کر اہلکاران پولیس یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود یوٹی جموں و کشمیر دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر 12-10-2020

دستخط : فسط ایڈیشنل منصف (فارسٹ)

مجسٹریٹ درجہ اول جموں۔



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Tue., the 1st Sept., 2020/10th Bhad., 1942. [No. 22-1

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô SCHOOL EDUCATION DEPARTMENT

Subject :ô Establishment of State Council of Educational Research and
Training (SCERT) Jammu and Kashmir.

Reference :ô Administrative Council Decision No. 114/16/2020 dated
27-08-2020.

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Government Order No. 197-Edu of 2020

Dated 01-09-2020.

Sanction is accorded to :ô

- (i) Establishment of State Council of Educational Research and Training (SCERT) in J&K (as a Society under Societies Registration Act,) by merging existing two State Institute of

[illegible]

Annexure A to Government Order No. 197-Edu of 2020 dated 01-09-2020.

[illegible]

- | | | |
|--------|---|--|
| (i) | Curriculum Development and Studies | Educational Research, Survey and Assesment |
| (ii) | Population Education, Girls Education, and early Childhood care Education and Education for all | Education in Science and Mathematics |
| (iii) | Education in Social Science, Humanities and Commerce | Health and Physical Education and guidance and counseling |
| (iv) | Art Education and Vocational Education | Art Education and Vocational Education |
| (v) | Education in Languages | Education in Languages |
| (vi) | Educational Communication Technology and Computer Science (ECT & CS) | Educational Communication Technology and Computer Science (ECT & CS) |
| (vii) | Educational Planning, Monitoring and Management | Educational Planning, Monitoring and Management |
| (viii) | Teacher Education | Inclusive and Special Education |
| (ix) | Library and Documentation Cell | Library and Documentation Cell |

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Annexure B to Government Order No. 197-Edu of 2020 dated 01-09-2020.

Post	Number of posts					Total posts	Pay Grade	Source/Arrangement for Deployment (through Rationalization)					Remarks
	Division Office Jammu		Central (Move Office)	Division Office Kashmir	SIE			DIET	SED	Total			
	2	3	4	5							6	7	
1. Director	0	1	0	1	Level-14 (144200-218200) + Special Pay	0	0	1	1	By way of upgradation of one post of JD, from SED			
2. Joint Director	1	1	1	3	Level-12 (78800-209200)	2	0	1	3	Two posts available in SIE, one from SED			
3. Professor equivalent to Joint Director, School Education	3	0	3	6	Level-12 (78800-209200)	0	0	6	6	From SED by rationalization			
4. Associate Professor equivalent to Chief Education Officers	5	0	5	10	Level-11 (67700-208700)	10	0	0	10	From SIE within existing sanctioned strength 5+5=10			
5. Assistant Professor equivalent to +2 Principals	9	2	9	20	Level-10 A (56600-179800)	0	20	0	20	From DIET among sanctioned strength of HoD& equivalent			

6. Sr. Academic Officer equivalent to Sr. Lecturer	18	0	18	36	Level-9 (52700-166700)	26	10	0	36	Out of existing sanctioned strength of ROs in SIEs and DIET (26+10)
7. Academic Officer	36	8	36	80	Level-9 (52700-166700)	0	80	0	80	From DIET among sanctioned strength of Lecturer and equivalent
8. Edu. Technology Officer (ETO)	0	1	0	1	Level-9 (52700-166700)	1	0	0	1	From SIE out of existing sanctioned strength
9. Script Writer-I	1	0	1	2	Level-6 E (35900-113500)	2	0	0	2	From SIE out of existing sanctioned strength
Total (A) :	0000 73	000 13	000 73	0000 159		000 41	0000 110	000 8	0000 159	
B : Non-Academic posts :										
1. Section Officer	1	1	1	3	Level-7 (44900-142400)	2	0	1	3	Two posts available in SIE, one from SED
2. Librarian	1	0	1	2	Level-7 (44900-142400)	2	0	0	2	From SIE out of existing sanction strength
3. Accountant	1	0	1	2	Level-6 B (35600-112800)	2	0	0	2	do.

1											2											3											4											5											6											7											8											9											10											11																																																																	
21. Driver											3											2											3											8											Level-2											5											0											3											8											Five posts available in SIE, three from SED																																																																	
Total (B) :											óóóó											óóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó																																
Total (A+B) :											óóóó											óóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó											óóóó										

(Sd.) NASEER AHMED WANI, KAS,
Additional Secretary to the Government,
School Education Department.

EXTRAORDINARY

REGD. NO. JK633



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Sat., the 5th Sept., 2020/14th Bhad., 1942. [No. 23-1

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PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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OFFICE OF THE EXECUTIVE OFFICER,
MUNICIPAL COUNCIL, BANDIPORA, KASHMIR.

Notification

In exercise of the powers conferred under section 65 and section 66 read with section 70 of the Jammu and Kashmir Municipal Act, 2000, the Municipal Council, Bandipora hereby revise the Schedule as Contained in Annexure ôAö of this Notification applicable to the concerned within the Urban Limits of M.C., Bandipora subject to the areas as applicable after inclusion of such areas as and when declared to be part of the limits of this Municipality, within the Urban Limits of M.C., Bandipora.

Whereas, this Office has published the revised tax schedule in the Daily Greater Kashmir Newspaper/The Daily Nawai Subah dated 26-06-2020 for inviting objections within a period of 30 days.

Whereas, upto the due date and timing no objection has been received by this office.

2 The J&K Govt. Gazette, 5th Sept., 2020/14th Bhad., 1942. [No. 23-1

In view of the above, the revised tax schedule is treated as final tax schedule and the tax schedule for recovery of tax within the Urban Limits of M.C., Bandipora as per annexure "A" with effect from the date of its publication in the Government Gazette.

(Sd.) MUSHTAQ AHMAD MIR,

Executive Officer,
Municipal Committee,
Bandipora.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF EXECUTIVE OFFICER,
MUNICIPAL COMMITTEE, BANDIPORA.

Notification

In exercise of the powers conferred under section 66 read with section 70 of J&K Municipal A. D. 2000, the Municipal Committee, Bandipora hereby proposed to revise the tax schedule as contained in Annexure 'A' of this notification within the limits of Municipal Committee Bandipora.

Any person having any objection to the imposition of proposed revised Tax Schedule as shown in Annexure 'A' may submit his/her objection within 30 days from the publication of this notification in written in the office of the undersigned. In case no objection, is received on the above mentioned matter within the specified period, it will be presumed that nobody has any objection for the imposition of proposed revised Tax Schedule within the limits of Municipal Committee, Bandipora and then it will be treated to be as final.

(Sd.) MUSHTAQ AHMAD MIR,

Executive Officer,
Municipal Committee,
Bandipora.

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Annexure 6A6	
Revised Tax Schedule of Municipal Committee, Bandipora	
S. No.	Name of the Trade/Profession
Rate of Tax	
1	2
3	
01.	General Provision Shop
Rs. 1000	
02.	Cloth Merchants
Rs. 1000	
03.	Readymade Cloth Shop
Rs. 1000	
04.	Poultry Shop
Rs. 1000	
05.	Electric Goods Shop
Rs. 1000	
06.	Medical Shop
Rs. 1000	
07.	Cattle Medical Shop
Rs. 700	
08.	Computer Shop
Rs. 1000	
09.	STD Shop/Mobile Shop
Rs. 700	
10.	Barber
Rs. 700	
11.	Beauty Parlor
Rs. 1000	
12.	Wholesale Shop (Kiryana)
Rs. 1500	
13.	Tin Sheets Dealers (CGI)
Rs. 1000	
14.	Tea Stall
Rs. 500	
15.	Cycle Works/Machines
Rs. 500	
16.	Foot Wear Shop
Rs. 700	
17.	Whole seller Dealer Foot Wear
Rs. 1500	
18.	Cassette Shop
Rs. 500	
19.	Photographers
Rs. 500	
20.	Bakery Shops
Rs. 1000	
21.	Bakery Factory
Rs. 1500	
22.	Nanwai Shop
Rs. 500	
23.	Gas Agency
Rs. 3000	

1	2	3
51.	Sports Goods Shop	Rs. 700
52.	Union Medical Shop	Rs. 700
53.	Old Spare Parts Shop	Rs. 700
54.	Book Seller Shop	Rs. 700
55.	Black Smith	Rs. 500
56.	Hardware Shop/Plywood Shop	Rs. 1000
57.	Kabada/Scrab	Rs. 1000
58.	Fertilizer/Pesticides Shop	Rs. 1000
59.	Marble Shop	Rs. 1000
60.	Dhaba	Rs. 700
61.	Trunk/Store Marker	Rs. 700
62.	Tiles/Pile Factory	Rs. 1000
63.	Welding Shop/Grill Work	Rs. 700
64.	Scooter Repairing	Rs. 700
65.	Tyre Dealer	Rs. 800
66.	Printing Press	Rs. 1000
67.	Old Cloth Shop/Readymade	Rs. 500
68.	Vegetables Seller	Rs. 700
69.	Milk Vendor	Rs. 700
70.	Cold Soft Drink Dealer	Rs. 1000
71.	Car Bazar/2nd Hand Car caller	Rs. 1000
72.	Radio Repairing	Rs. 300
73.	Driving Institute	Rs. 1000
74.	Sweet Shop with Tea	Rs. 700
75.	Ice Cream Plant	Rs. 2000
76.	Clinical Lab.	Rs. 1000
77.	Steel Shop/Iron Shop	Rs. 1000

1	2	3
78.	Potter Dealer	Rs. 500
79.	Flour Mill	Rs. 5000
80.	Rice Mill	Rs. 1000
81.	Band Saw Mill	Rs. 1000
82.	Oil Mill	Rs. 1000
83.	Brick Kiln	Rs. 5000
84.	Juice Factory	Rs. 2000
85.	Ice Cream/Cold Drink Seller	Rs. 800
86.	Medical Agency	Rs. 1200
87.	Departmental Store	Rs. 2000
88.	Mobile Shop	Rs. 700
89.	Electronic Shop	Rs. 700
90.	Service Station	Rs. 1000
91.	Mobile Towers	Rs. 25000
92.	Spice Mill	Rs. 1000
93.	Cotton Wearing/Ruffle	Rs. 1000
94.	Candle Factory	Rs. 1000
95.	Private Nursing Home	Rs. 3000
96.	PVC Pipe Factory	Rs. 3000
97.	Copper Wore Factory	Rs. 3000
98.	Plastic Cane Factory	Rs. 3000
99.	Pickel Factory/Jam	Rs. 3000
100.	Petrol/Diesel Pump	Rs. 5000
101.	Aluminum Utensil Seller	Rs. 700
102.	Copper Utensil Seller	Rs. 700
103.	Ayurvedic Practitioner	Rs. 700
104.	Attachery Dealer/Trunk Dealer	Rs. 700

1	2	3
105.	Car/Heavy Vehicle/Tractor Repair Shop	Rs. 1000
106.	Cattle Animal Feed Dealer	Rs. 1000
107.	Cement Jalli Fancying Poles Mng. Factory	Rs. 2000
108.	Computer D.T.P Center	Rs. 500
109.	Computer Training Center/Institute	Rs. 1000
110.	Cable Network	Rs. 2000
111.	Diagnostic Centre	Rs. 800
112.	Doctors Practicing in Drug Shop/Clinic	Rs. 800
113.	Dry Cleaner and Dyer Shop	Rs. 500
114.	Dry Fruit Dealer	Rs. 700
115.	Educational Coaching Centre	Rs. 1000
116.	Auto/Tractor diler	Rs. 2000
117.	Electronic Goods Repair Shop (TV, Radio, Video, PA System, Music System)	Rs. 1000
118.	CC TV, USG etc.	Rs. 1000
119.	Flour Dealer	Rs. 800
120.	Fruit Dealer	Rs. 1500
121.	Furniture Maker	Rs. 1000
122.	Glass Dealer	Rs. 800
123.	Gym Center/Indoor Games Snooker etc.	Rs. 2000
124.	Hosiery Dealer	Rs. 1000
125.	Internet Cafe	Rs. 1000
126.	Ice Cream/Softy Shop	Rs. 800
127.	Kangri Dealer	Rs. 500
128.	License Fee for Registration of Draftsman	Rs. 5000
129.	K (Kerosene) Oil Dealer	Rs. 800
130.	No Demand Certificate Copying Fee	Rs. 200

1	2	3
131.	Fertilizers	Rs. 700
132.	Private X-Ray Plant/ECG/Physiotherapy Center	Rs. 1200
133.	Silversmith	Rs. 500
134.	Steel Utensil Seller	Rs. 700
135.	Travel Agent	Rs. 700
136.	Kiryana	Rs. 1000
137.	Dharam Kanta	Rs. 3000
138.	Firewood Depot	Rs. 1000
139.	Beauty Parlor	Rs. 1000
140.	Private Financial/Higher Purchase/Leasing Company	Rs. 3000
141.	Raw Wool Dealer	Rs. 500
142.	Shoe Maker	Rs. 500
143.	Shuttring (Farm Work)	Rs. 2000
144.	Dental Clinic	Rs. 1000
145.	Coaching Center	Rs. 2000
146.	Consultancy	Rs. 2000
147.	Embroidery	Rs. 700
148.	Minor Shop	Rs. 500
149.	Soda Factory	Rs. 5000
150.	Stone Crusher	Rs. 500/pd
151.	TV Commercial Shooting	Rs. 2000/pd
152.	Interior/Steel Reeling	Rs. 1000
153.	Film Shooting Production Outside State	Rs. 10000
154.	(a) Painter (who makeHording Signboard etc.	Rs. 700
	(b) Painter who paint Advertisement on walls and houses etc.	Rs. 500

	(c) Houses Painters	Rs. 200
	(d) Vehicle Spray Painters	Rs. 500
155.	Rice Husker Saw Mill Oil Expeller Spare Parts Dealer	Rs. 1500
156.	Video Cinema Hall	Rs. 1000/pm
157.	Video Film Maker	Rs. 500
158.	Tent/Shamiyana Hiring Dealer	Rs. 2000
159.	Tractor Truck repairing	Rs. 1000
160.	Travel Agency	Rs. 1500
161.	Hawker/Reda	Rs. 20 per day

Building Permission Schedule

162.	Residential Houses :	
	(a) Ground Floor	Rs. 10 per Sqft.
	(b) First Floor to onwards	Rs. 10 per Sqft.
	(c) Compound Walling	Rs. 7 per Sqft.
163.	Commercial :	
	(a) Shopping Mall	Rs. 20 per Sqft. For each floor
	(b) Shopping Complex etc.	Rs. 20 per Sqft.
	(c) Basement	Rs. 20 per Sqft.
164.	Govt. Building	Rs. 10 per Sqft.

NOC Fee

165.	Ward/Population Certificate	Rs. 200
166.	(a) Nursing Homes/Private Schools Private Hospital and others	Rs. 3000
	(b) Joinery Mill/Timber Depot	Rs. 3000
167.	Outside Limits	Rs. 500

Death and Birth

168.	Birth Certificate Fee (APL Category)	Rs. 460
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(Sd.) MUSHTAQ AHMAD MIR,
Executive Officer,
Municipal Committee,
Bandipora.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 133] Jammu, Sat., the 17th Oct., 2020/25th Asv., 1942. [No. 29-a

Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATI RAJ

Notification

Srinagar, the 17th of October, 2020.

S.O. 316.—In exercise of the powers conferred by section 80 of the Jammu and Kashmir Panchayati Raj Act, 1989 and all other provisions enabling in this behalf, the Government of Jammu and Kashmir hereby make the following amendments in the Jammu and Kashmir Panchayati Raj Rules, 1996, namely :—

1. In rule 3 of the Jammu and Kashmir Panchayati Raj Rules, 1996 for the words “the Chief Electoral Officer shall be Election Authority for the elections of Panches and Sarpanches of the Panchayat Halqas/constituency of the State”, the words “the State Election Commission

shall be the Election Authority for the purposes of these rules” shall be substituted ; and

2. After Chapter VIII, the following Chapters shall be inserted, namely,-

“CHAPTER VIII-A DISTRICT DEVELOPMENT COUNCIL

108-A Delimitation of Constituencies of a District Development Council.—(1) The Deputy Commissioner shall divide the District Development Council area into fourteen single member territorial constituencies provided that the ratio between population of the territorial area of a constituency and the number of seats in the District Development Council shall, so far as practicable, be the same throughout the area of the District Development Council.

(2) While delimiting the constituencies of the District Development Council, Halqa Panchayat shall be a unit. The constituencies shall be delimited from the map of the District Development Council area starting from North towards East and ending towards South to West and every constituency shall be assigned a serial number and a name. The name of the constituency may be assigned on the name of a Block having the largest population in that constituency. Thereafter, the constituencies shall be arranged alphabetically on the name of such constituencies.

(3) While delimiting the constituencies, the Deputy Commissioner shall determine the number of constituencies to be reserved for Scheduled Castes, Scheduled Tribes and women in every constituency of District Development Council in accordance with the provisions of the Act and distribute seats reserved for Scheduled Castes, Scheduled Tribes as far as practicable in those areas in a District Development Council where the proportion of their population to the population in total is comparatively large.

(4) The Deputy Commissioner shall cause to publish a proposal for delimitation of constituencies by dividing a District Development Council area into single member constituencies and also indicate the territorial limit of each such constituency and shall keep the proposal open for inspection in the office of Halqa Panchayat, Block Development Council and District Development Council falling within the District and by affixing a copy of such proposal at two conspicuous places within each Halqa Panchayat area for inviting public objections thereon.

(5) The Deputy Commissioner on receipt of objections, if any, under sub rule (4) shall forward the same to the Director, Rural Development concerned who shall place the proposal along with objections received before the Election Authority. The Election Authority shall thereon inquire or cause an inquiry to be made and dispose of the objections. Thereafter Election Authority shall issue final order of delimitation after recording in brief the reasons for acceptance or rejection of such objections.

108-B. Notification of Delimitation of Constituencies.—The delimitation made under rule 108-A shall be notified by the Election Authority.

108-C. Electoral Rolls.—The electoral rolls of the constituency for election of the elected members of the District Development Council shall be prepared in such manner as may be prescribed by the Election Authority :

Provided that the Election Authority, in consultation with the Government, may nominate Electoral Registration Officer and Assistant Electoral Registration Officer for revising and updating the electoral rolls of the constituency for election of the elected members of the District Development Council.

108-D. Appointment of Returning Officer and Assistant Returning Officers.—(1) The District Panchayat Election Officer shall in consultation with the Election Authority appoint in each constituency of the District Development Council a Returning Officer and an Assistant Returning Officer for holding of elections for that District Development Council :

Provided, however, the same Returning Officer may be appointed for holding of elections to more than one constituency.

(2) It shall be the duty of the Returning Officers at an election to do all such acts and things as may be necessary for effectively conducting the elections in the manner provided in the Act and these Rules.

108-E. Appointment of Presiding Officers.—(1) The District Panchayat Election Officer shall appoint such number of Presiding Officers as may be required for holding of elections.

(2) The Presiding Officer shall perform the functions required to be performed by him under these rules and it shall be his general duty to keep order at polling stations and to see that the poll is fairly taken.

(3) The District Panchayat Election Officer may appoint for each polling station a Polling Officer or Officers and such number of attendants as he thinks necessary to assist the Presiding Officer in the performance of his functions.

108-F. Notification of Elections for the District Development Council.—(1) The Government shall, by one or more notifications in the Official Gazette on such date or dates as may be determined in consultation with Election Authority call upon the constituencies of the District Development Council to elect its members.

(2) The election of the elected members of the District Development Council shall be by secret ballot.

108-G. Announcement of Dates.—As soon as notification under rule 108-F is issued in accordance with the said rules the Election Authority shall, by notification in the Official Gazette, appoint—

- (a) the last date of submission of nomination papers by the candidates for elections;
- (b) the time, date and place for scrutiny of the nomination papers which shall be the date immediately following last date for submission of nomination;
- (c) the time and date for the withdrawal of candidature, which shall be the day immediately the date for scrutiny the nominations; and
- (d) the time and date or dates on which the poll shall take place shall be a date not later than 20 days, after last date of withdrawal of candidature :

Provided that the Election Authority may for sufficient reasons to be recorded in writing extend the period prescribed under this rule.

108-H. Public Notice of Elections and Presentation of Nomination Papers.—(1) Immediately after issuance of notice under rule 108-F, the Returning Officer shall give public notice of the intended election in such form and manner as may be prescribed by the Election Authority, inviting nominations for conduct of such election and specifying the time and place at which nomination papers are to be delivered.

(2) On or before the date appointed in clause (a) rule 108-G each candidate shall, either in person or through authorized agent, deliver the nomination papers to Returning Officer in the prescribed form duly subscribed by the candidate for the purpose of such election.

(3) The nomination form shall be accompanied by security deposit of Rs 500/- in the shape of a bank draft pledged in the name of Returning Officer of the constituency payable at any branch of nationalised bank in the district :

Provided that in case of Scheduled Castes, Scheduled Tribes and Women candidates, the amount of security deposit shall be Rs. 250/- only :

Provided further that the security deposit of candidate getting 1/6th or more of the total valid votes polled will be refunded by the Returning Officer within a period of 90 days from the declaration of results. In case the candidate gets less than 1/6th of the total valid votes polled, his/her security shall be forfeited :

Provided also that in case of election to the seats reserved for Scheduled Castes or Scheduled Tribes, the nomination papers shall be accompanied by certificate issued by the Competent Authority specifying particular caste or tribe of the candidate who intends to contest such elections.

108-I. Scrutiny of nomination papers.—(1) At the time and on the date fixed for scrutiny of nomination papers under clause (b) of rule 108-G, the candidates or their authorized agents or proposers may attend such place as Returning Officer may appoint for scrutiny and Returning Officer shall give them reasonable time and opportunity for examining the nomination papers of all candidates.

(2) The Returning Officer shall then after examining the nomination papers, decide all objections which may be raised to any nomination paper and after doing so reject any nomination paper on the grounds contained in rule 108-J.

108-J. Rejection of Nomination Papers.—(1) The Returning Officer may reject any nomination paper in any of the following grounds :—

- (i) that the candidate has not correctly filled in the particulars required in the prescribed form;
- (ii) that the candidate for his election suffers from any disqualification which debars him for being chosen as member of Panchayat Halqa under any provisions of the Act; and
- (iii) that the candidate has not deposited the security deposit as prescribed under sub-rule (3) of rule 108-H :

Provided that Returning Officer may :—

- (a) permit any clerical error in the nomination papers in regard to the names and numbers to be corrected in order to bring them in conformity with the corresponding entries in the electoral rolls; and
- (b) wherever necessary, direct that any clerical or printing error in the said entries shall be overlooked.

(2) If any nomination paper is rejected after hearing objections made by any person or persons, the Returning Officer shall record reasons for rejecting the nomination papers.

(3) Any person aggrieved by an order passed under this rule may appeal to the Election Authority with 07 days of the receipt and decision on such appeal shall be final. Election Authority shall forthwith communicate his decision to the Returning Officer.

108-K. Withdrawal of candidature.—(1) Any candidate may withdraw his candidature by a notice in prescribed form duly subscribed

and delivered personally to the Returning Officer on the day fixed as provided in the clause (c) of rule 108-G. Notice once given cannot be withdrawn.

(2) Immediately after the expiry of the date and time for withdrawal under sub rule (1), the Returning Officer shall publish list of validly nominated candidates for contesting election whose name shall be in alphabetical order.

(3) Where after the publication of the list of the candidates, the Returning Officer finds that the number of candidates in a constituency is only one, he shall forthwith declare such candidate as having been duly elected.

(4) Where the number of candidates in a constituency exceeds one, a poll shall be taken.

108-L. Publication of List of Candidates.—After the expiry of date of withdrawal the Returning Officer shall publish a list of contesting candidates in alphabetical order. The alphabetical order shall be determined with reference to the names of the candidates.

108-M. Admission to Polling Stations.—The Presiding Officer shall regulate admission of voters at the polling stations and shall exclude from it all other persons except—

- (i) Polling Officer, if any ;
- (ii) Police Officers and other public servants on duty ;
- (iii) Each candidate or his authorised agent ;
- (iv) A child in arms accompanying a voter ; and
- (v) The companions of blind or infirm voters who cannot move without help.

108-N. Right to vote.—(1) No person whose name is not entered in the electoral roll pertaining to the constituency shall be entitled to vote in that constituency

(2) No person shall vote at an election in any constituency if he is not qualified to vote under the provisions of the Act.

(3) Every voter shall have only one vote.

(4) Every vote shall be cast by the elector in person and not by proxy.

108-O. Choice of Symbols by Candidates.—(1) The Election Authority shall, by notification in the Official Gazette, publish a list of symbols and may in a like manner amend such list.

(2) Every nomination paper presented under rule 108-H shall contain a declaration specifying —

- (a) the particular symbol which the candidate has chosen for his first preference out of the list of symbols published under sub-rule (1) ;
- (b) two other symbols out of that list which he has chosen for his second and third preference respectively :

Provided that the choice to be made by a candidate under this sub-rule shall be subject to such restrictions as the Election Authority may think fit impose in that behalf.

108-P. Allotment of Symbols.—(1) If in any constituency a poll becomes necessary, the Returning Officer shall simultaneously with the preparation of the list of contesting candidates consider the choice in respect of symbols indicated by the contesting candidates in their

nomination papers and shall subject to any general or special direction issued in this behalf by the Election Authority,—

- (a) allot a separate symbol to each contesting candidate in conformity, as far as practicable, with his choice ; and
- (b) if more than one contesting candidate have indicated their preference for the same symbol, decide by a lot to which candidate such symbol will be allotted.

(2) The allotment by the Returning Officer of any symbol to a candidate shall be final unless it is inconsistent with any directions issued by the Election Authority in this behalf in which case the Election Authority may revise the allotment in such manner as it thinks fit.

(3) Every candidate shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the Returning Officer.

108-Q. Different Procedure For Allotment of Symbols.—Notwithstanding anything to the contrary contained in rules 108-N and 108-O, the Election Authority shall be competent to prescribe a different procedure for allotment of symbols to the contesting candidates in the event of conduct of elections on non-party basis.

108-R. Preparation of Ballot Paper.—Ballot paper shall be prepared in prescribed form in such language or languages as the Election Authority may direct.

108-S. Death of a Contesting Candidate.—If a contesting candidate dies and a report of his death is received by the Presiding Officer before the commencement of the poll and the number of candidates contesting is more than one, the symbol in respect of the candidate who has died shall be deemed to have been cancelled and Presiding Officer shall order a poll to be taken accordingly.

108-T. Identity of electors.—Immediately before the ballot paper is delivered to a voter, the Polling Officer shall satisfy himself as to the identity of the voter with reference to the entries relating to that voter in the voters list. He shall also hear and decide, then and there, any objection raised in this behalf. He may refuse to issue a ballot paper to any person who declines to answer any reasonable question put to him for the purpose of ascertaining such identity or whose identity is not established to his satisfaction, but issue of ballot papers shall not be refused merely on the ground of any clerical error or omission in the relevant entries in the voters list, if the identity of the voter is otherwise established.

108-U. Marking of Attendance.—(1) Every voter about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow his/her left forefinger to be inspected by the Polling Officer Incharge of the indelible ink and mark it with indelible ink.

(2) If any Elector refuse to allow his/her forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to remove the ink mark, he/she shall not be supplied with any ballot paper to vote.

(3) Any reference in this rule to the left forefinger of any elector shall, in case where the forefinger of a voter is missing, be construed as a reference to any other finger of his/her hand and in case where all the fingers of his/her hand are missing be construed as a reference to the forefinger or any finger of his/her right hand, and shall in case where all his/her fingers of both hands are missing be constructed as a reference to such extremity of his/her left or his/her right arms as he/she possesses.

(4) In case of a re-poll, the Election Authority shall prescribe the finger to be marked.

108-V. Issue of Ballot Paper to Electors.—The Polling Officer shall while issuing a ballot paper to a voter, place a tick mark against the number of such voter in the copy of the voters list in use with him to denote that the voter has received a ballot paper and direct an indelible ink mark to be put on his left fore-finger.

108-W. Sealing of Ballot Boxes.—Immediately before the commencement of the poll, the Presiding Officer shall satisfy such candidates or their agents as may be present that the ballot box is empty and then lock the ballot box and seal it.

108-X. Manner of Casting Vote.—A voter shall on receiving the ballot paper issued under rule 108-V forthwith proceed to the polling compartment, and mark his ballot paper by affixing a seal provided to him by the Presiding Officer opposite the name (or on the symbol) of the candidate in whose favour he desires to cast his vote and put the ballot paper so folded up in the ballot box which shall be placed within the view of the Presiding Officer.

108-Y. Assistance to Illiterate and Infirm Voters.—If a voter owing to illiteracy or physical infirmity is unable to record his vote in the manner laid down in rules, the Presiding Officer or Polling Officer shall do so according to the direction of the elector and shall record on the counterfoil of the ballot paper the reasons for such action.

108-Z. Spoiled Ballot Papers.—An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as such may, on delivering it to Polling Officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoiled ballot paper and such spoiled ballot paper, together with its counterfoil shall be marked by the Polling Officer as cancelled.

108-ZA. Return of Ballot Papers.—If any elector, after obtaining a ballot paper for the purpose of casting his vote, decides not to use the

same or to cast his vote, he shall return the ballot paper so issued to him to the Polling Officer and the ballot paper so returned shall then be marked by the Polling Officer as cancelled on account of such return.

108-ZB. Tendered Vote.—(1) If a person representing himself to be a particular voter named in the electoral roll applies for a ballot paper after another person has voted as such voter, he shall after duly answering such questions as the Presiding Officer may ask be entitled to vote, but his ballot paper (hereinafter referred to as tendered ballot paper) which shall be in prescribed form instead of being given to him or inserting in the ballot box shall be handed over to the Presiding Officer who shall ask the elector to mark (x) opposite the symbol or on the symbol of the candidate in whose favour he desires to cast his vote and then endorse the name of the elector, his serial number in the electoral roll and the name of the constituency to which the rolls relate and shall place the ballot paper in a separate packet.

(2) If a person representing himself to be a particular voter named in the electoral roll applies for a ballot paper after another person has voted as such voter, he shall, after duly answering such questions as the Presiding Officer may ask, be entitled to vote through a tendered ballot paper. A tendered ballot paper shall be the same as the other ballot papers used at the polling station except that :—

- (a) such tendered ballot paper shall be serially the last in the bundle of ballot papers ;
- (b) such tendered ballot paper and its counterfoil shall be enclosed on the back with the words “Tendered Ballot Paper” by the Presiding Officer in his hand and signed by him ;
- (c) the elector after marking a tendered ballot paper in the voting compartment and folding it shall hand over the

same to the Presiding Officer instead of putting in the ballot box ; and

- (d) the Presiding Officer shall then endorse the name of the elector and his serial number in the electoral roll and place the ballot paper in a separate cover.

(3) The name of the voter, his serial number in the electoral roll and the name of the constituency to which the roll relates shall be entered in a list bearing “Tendered Voters List.” The person tendering such ballot paper shall sign his name and address thereon or affix his thumb impression against the entry in that list.

(4) The “Tendered Voters List” shall be prepared by the Presiding Officer in prescribed form.

108-ZC. Challenged Vote.—If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of impersonation, the Presiding Officer may require such person to enter in the list of challenged votes his name and address or if he is unable to write, to fix thumb impression thereto and may further require such person to produce evidence of identification. If such person on being questioned answers affirmatively, he shall be allowed to vote. The Presiding Officer shall in every case, whether or not the person challenged is allowed to vote, make a note of the circumstance in the list of challenged votes in prescribed form which shall be prepared separately.

108-ZD. Removal from Polling Station for Misconduct.—If any person misconducts himself at a polling station, or fails to obey the lawful orders of the Presiding Officer or any Polling Officer appointed there for, the Presiding Officer or such Polling Officer, as the case may be shall immediately remove or order any Police Officer present there as to remove from the polling station the person so misconducting himself

and such person shall not be allowed again to enter the polling station without the permission of the Presiding Officer or the Polling Officer.

108-ZE. Closing of Poll.—(1) The Presiding Officer shall close the polling station at the hours appointed for such closure so as to prevent the entry therein of any elector after that hour.

(2) Any elector who has been admitted to the premises of the polling station before that hour shall, however, be allowed to cast votes even after that hour.

108-ZF. Procedure on closing of poll.—(1) As soon as practicable after the close of the poll, the Presiding Officer shall in the presence of such candidates or their duly authorised agents as may be present there make up into packets—

- (a) the unused ballot papers ;
- (b) the spoiled ballot papers ;
- (c) the ballot papers returned and cancelled ;
- (d) the marked copy of the voters list ;
- (e) the counterfoils of the used ballot papers ; and
- (f) affix his seal to every such packet.

(2) Subject to any directions given by the Election Authority or the Returning Officer in that behalf, the packets referred to in sub-rule (1) shall be forwarded by the Presiding Officer to the Returning Officer or the Election Authority, as the case may be.

108-ZG. Counting of Votes.—(1) Subject to any further directions issued by the Election Authority in this behalf and after the polling hours, the Returning Officer or the Assistant Returning Officer shall in

presence of the candidates or their agents as are present on spot open the ballot box and start counting of the votes.

(2) No other person shall be allowed to be present at the counting of votes except those whom the Returning Officer may appoint to assist him in the task.

(3) The Returning Officer shall allow such candidate or his agent reasonable opportunity to inspect, without handling the ballot papers which he considers to be liable to rejection.

(4) The Returning Officer may in his discretion or on the request of the candidate or his authorised agent recount the ballot papers of all or any of the candidates once or more than once, if he is not satisfied as to the accuracy of preceding count and shall declare the results thereafter on spot.

108-ZH. Rejection of Ballot Papers.—(1) A ballot paper shall be liable to rejection,—

- (i) if no vote is recorded thereon ; or
- (ii) if the ballot paper or the vote recorded thereon is void for uncertainty ; or
- (iii) if it is otherwise not in conformity with these rules.

(2) No ballot paper shall be rejected otherwise than on any of the grounds enumerated in sub-rule (1).

(3) The Returning Officer shall record on every ballot paper which he rejects a brief statement or reasons for such rejection.

(4) The decision of the Returning Officer as to the validity or otherwise of the ballot paper shall be final.

108-ZI. Fresh Poll in Case of Destruction of Ballot Boxes.—

(1) If at an election any ballot box is unlawfully taken out of the custody of the Presiding Officer or is in any way tampered with or is either accidentally or intentionally or otherwise destroyed or lost, the Returning Officer shall forthwith report the matter to the District Panchayat Election Officer who may after holding such enquiry as he may deem necessary, and subject to any direction of the Election Authority declare such polling to be void and shall thereupon appoint a day for taking of a fresh poll in such polling station or stations as the case may be, and fix the hours during which the polling shall be taken

(2) Notwithstanding anything contained in these rules, the counting of votes in respect of the elections in the constituency, in which any election has been declared void under sub-rule (1) shall remain in abeyance till a fresh poll in respect of the election declared void is completed.

(3) The provisions of rules 108-P to 108-ZH shall apply to every such fresh poll as they apply to the original poll

108-ZJ. Report of Result to Election Authority.—As soon as may be after the result of an election has been declared, the Returning Officer shall report the result in prescribed form to the Election Authority and the District Panchayat Election Officer

108-ZK. The Election Papers.—(1) The Returning Officer shall after reporting the result of the election, forward all papers pertaining to election to the District Panchayat Election Officer for safe custody.

(2) The District Panchayat Election Officer shall keep the papers so forwarded to him in safe custody for such time as the Election Authority may decide.

108-ZL. Election to the Casual Vacancy.—Where any casual vacancy arises by reason of death, resignation, removal, the provision of

these rules regulating the election of elected members of District Development Council, shall apply to fill such vacancy.

108-ZM. Clarification and Additional Instructions by the Election Authority.—The Election Authority shall wherever it considers just and necessary give clarification and additional instructions on the matters not covered under these rules for the smooth conduct of the elections.

CHAPTER-VIII-B

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF DISTRICT DEVELOPMENT COUNCIL

108-ZN. Meeting for Election.—(1) After the declaration of result of the elected members of the District Development Council, the Deputy Commissioner concerned shall fix a date of meeting for the purpose of oath or the affirmation of allegiance under his presidentship (hereinafter referred to as the Presiding Officer) as soon as possible but, not later than one week of such declaration.

(2) As soon as possible but not later than twenty days after oath or affirmation of allegiance under sub-rule (1) is administered or made, the Deputy Commissioner concerned shall call under his presidentship a meeting of all elected members to elect one of its members to be the Chairperson and another member to be the Vice-Chairperson of the District Development Council :

Provided that the Deputy Commissioner shall hold such elections under the overall supervision, direction and control of the Election Authority :

Provided further that the Government may, by general or special order, allow holding of meeting for the election of Chairperson and Vice-Chairperson under this sub-rule after the period prescribed under this

sub-rule but not later than one month from declaration of result of election of the elected members of the District Development Council under the following circumstances :—

- (i) if it is not possible to convene meeting within the period prescribed under this sub-rule due to natural calamities; and
- (ii) if it is not possible or desirable to hold meeting within the period prescribed under this sub-rule due to severe law and order problem;

(3) As soon as possible but not later than twenty days after the declaration of occurrence of the casual vacancy in the office of the Chairperson or the Vice-Chairperson or both, as the case may be, the Deputy Commissioner concerned or any other officer shall call under his presidentship a meeting of all elected members to elect the Chairperson or the Vice-Chairperson or both, as the case may be :

Provided that if, owing to a natural calamity of great severity or a grave situation of law and order or a war or aggression by another country against India affecting the relevant area in Union territory of Jammu and Kashmir or any other cause beyond human control, it is not possible to hold such meeting within twenty days, the Government may allow such meeting to be held after twenty days, but not later than three months after the occurrence of the vacancy in question.

(4) The Deputy Commissioner shall issue a notice for the purpose of holding of meeting under this rule to all the elected members in a prescribed form.

(5) A copy of such notice shall be exhibited on the notice board of the District Development Council office and office of the Deputy Commissioner.

(6) No quorum shall be required for the meeting for the purpose of oath or affirmation of allegiance under sub-rule (1). Quorum for the meeting for the purpose of election of Chairperson or Vice-Chairperson or both, as the case may be, shall be two-third of the total of the elected members. If within two hours after the time appointed for the meeting, the quorum is not present, the meeting shall be adjourned. In the event of adjourned of the first meeting for want of quorum, the second meeting shall be convened within ten days from the date of first meeting and if the second meeting is also adjourned for want of quorum, the subsequent meetings shall be convened within ten days from the date of the last adjourned meeting. Action shall be taken against those members who will not attend subsequent meetings for which specific mention shall be made in the notices of such meetings. Quorum for the second and subsequent meetings shall be the simple majority of the total elected members.

(7) The notice shall be dispatched at least five days before the date of meeting at their permanent address and shall contain the date, time, place and purpose of the meeting.

(8) Every candidate for the Chairperson and Vice-Chairperson, as the case may be, shall be nominated in prescribed form signed by two of the elected members, one as a proposer and another as a seconder. No member shall be allowed to propose or second more than one candidate. The nomination papers shall be delivered to the Presiding Officer within hour after the completion of quorum. Any nomination paper subscribed and delivered in contravention of these rules shall be invalid and declared as such by the Presiding Officer.

(9) Scrutiny of nomination papers shall be taken up by the Presiding Officer after the expiry of one hour allotted for the delivery of nomination papers in the presence of members. An objection to any

nomination shall be recorded by the Presiding Officer who after proper consideration shall accept or reject such nomination. In case of rejection of any objection he shall record the reasons for rejection in brief.

(10) The Presiding Officer of the meeting shall read out in the meeting :-

- (a) the names of the candidates whose nomination papers have been declared invalid and the reasons thereof; and
- (b) the names of the candidates duly nominated.

(11) If there is only one candidate for election, he shall be declared to have been duly elected.

(12) If the number of candidates is more than one, the election shall be held by secret ballot.

(13) The Presiding Officer shall assign serial number to each candidate with reference to their names written alphabetically and then announce to the members serial numbers assigned to each candidate

(14) The Presiding Officer shall cause the ballot paper to be prepared in the prescribed form.

(15) The ballot papers shall be signed by the Presiding Officer and one paper each shall be handed over to each elected member for each election who shall mark the ballot paper by putting the seal provided for the purpose against the candidate for whom he wishes to vote. If a member is unable due to illiteracy, blindness or other physical infirmity to record his vote, the Presiding Officer of the meeting shall record the vote on ballot paper in accordance with the wishes of such member. The ballot paper shall not be signed by the member nor be marked in any

other way that could reveal his identity. If the paper is so signed or marked or mutilated, the vote shall be void.

(16) The ballot paper shall be inserted in the box provided for the purpose.

(17) (i) Immediately after the voting is over, the Presiding Officer shall in the presence of the members present, open the box containing the ballot papers, count them and record the number thereof in a statement.

(ii) A ballot paper shall be invalid :-

- (a) if it bears the signature of the member or contains word, or any visible representation by which he can be identified; or
- (b) if marks are placed thereon against more than one candidate; or
- (c) if the mark is so placed thereon as to make it doubtful for which one or two or more candidates the vote was intended to be given; or
- (d) if no mark is placed thereon; or
- (e) if it does not bear the signature of the Presiding Officer.

(18) At the end of the poll the Presiding Officer shall declare the candidate who secures the largest number of votes to be duly elected.

(19) In case of equality of votes, the election shall be decided by a lot to be drawn by the Presiding Officer.

(20) The Presiding Officer of the meeting shall keep order in the meeting and see that the election is fairly conducted.

(21) Immediately after the conclusion of the meeting, the Presiding Officer shall :—

- (a) prepare a record of the proceedings of the meeting and sign it and any member in the meeting shall be permitted to fix his signature on such record, if he so desires; and
- (b) publish on the notice board of office of District Development Council and office of Deputy Commissioner a notice in prescribed form signed by him as a prescribed authority stating the names of persons elected and send a copy of such notice to the Election Authority.

(22) (a) The Presiding Officer shall make up into separate packets the counted and rejected ballot papers relating to each election, seal such packets and note thereon a description of its contents, the election to which it relates and the date thereof. The packets so sealed shall not be opened and their contents shall not be inspected or produced except under the orders of the competent court.

(b) The packets shall remain in safe custody of the Election Authority for one year and shall thereafter be destroyed unless otherwise directed by a competent court or pending legal proceedings.

108-ZO. Election Petitions.—(1) An appeal against the election of elected members and Chairperson/ Vice-Chairperson of the District Development Council shall lie to the authority as may be notified by the Government within a period of 30 days from date of declaration of results.

(2) On receipt of the appeal under sub-rule (1), the appellate authority shall fix the time, place and the date of hearing of the appeal, such date not being more than seven days after the date of receipt of the appeal.

(3) At the fixed date and place the authority shall hear the appeal and pass such orders as it may deem fit.

(4) The orders passed under sub-rule (3) shall be final.

108-ZP. Notification and constitution of District Development Council.—(1) The Election Authority shall forward to the Government the names of the elected members, Chairpersons and Vice Chairpersons of the District Development Councils elected in accordance with the provisions of the Act and these rules.

(2) On receipt of the names of the elected members, Chairpersons and Vice Chairpersons, the Government shall, by notification, constitute District Development Council(s) bearing the name of the concerned District.

(3) Upon the issuance of notification under sub rule (2), the District Development Council shall be deemed to be duly constituted.

(4) Every District Development Council shall be a body corporate having perpetual succession and a common seal and shall, by its corporate name sue and be sued, subject to such conditions and restrictions as the Government may prescribe.

By order of Government of Jammu and Kashmir.

(Sd.)

Secretary to Government,
Department of Rural Development and Panchayati Raj.

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Wed., the 11th Sept., 2019/20th Bhad., 1941. [No. 23-g

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT SCHOOL EDUCATION DEPARTMENT

Notification

Srinagar, the 11th September, 2019.

SRO-529. In exercise of the powers conferred by proviso to
section 124 of the Constitution of Jammu and Kashmir, the Government

[illegible]

In Schedule-II (B) for the entry appearing in columns 3, 4, 5 and 6 against Class-III, Category-A, the following entries shall respectively be substituted : \hat{o}

Class	Category	Designation	Pay band with Grade Pay	Qualification for direct recruitment	Method of recruitment
1	2	3	4	5	6
III	A	(i) Teachers (including teachers of Mobile Schools)	(i) Level-5 Rs. 29200-92300 for Graduate (ii) Level-4 Rs. 25500-81100 for existing under Graduates	Graduate from any recognized University. Preference will be given to the candidates having higher qualification and those having passed M. Ed., B. Ed.	(a) 95% by direct recruitment with the following ratio : (i) 60 % from amongst the graduates in any discipline. (ii) 30 % from amongst the Science/Math Graduates having Physics, Chemistry, Zoology, Botany or Maths as one of the subjects in graduation

(iii) 10 % from amongst the Graduates with Urdu as one of the subjects in graduation.

(b) 5 % by promotion from Class-IV, Category-B who are Graduate with 3 years substantive service in that class.

100 % by selection out of
the Regularized Rehbar-
e-Taleem Teachers
(RReTs)*

100 % by selection out of
the Regularized Rehbar-
e-Taleem Teachers
(RReTs)**

Graduate from any
recognized University.
Preference will be
given to the candidates
possessing B. Ed. or
M. Ed. or Master
Degree

10+2 from a recognized Board.
Preference will be given to the candidates possessing Diploma in Elementary Education.

Level-5 Rs. 29200-
92300 w. e. f.
01-09-2018

Level-4 Rs. 25500-
81100 w. e. f.
01-09-2018

(ii) Teachers Grade-II

(iii) Teachers Grade-II

[illegible]

**The Cadre of 'Teacher Grade-II' is created exclusively for the purpose of adjusting RReTs. It shall constitute a district cadre till all the eligible RReT, transited to the post of Teachers Grade-II, vacate these posts due to resignation, superannuation, death, promotion or otherwise. Consequently, the cadre of Teacher Grade-II will stand abolished automatically after the last incumbent vacates the post.*

****The Cadre of 'Teacher Grade-III' is created exclusively for the purpose of transition/appointment of non-graduate RReTs. It shall get subsumed/merged into Teacher Grade-II once the Teacher Grade-III are appointed as Teacher Grade-II or vacate the post on superannuation/resignation/demise, whichever is earlier.**

By order of the Government of Jammu and Kashmir.

(Sd.) SARITACHAUHAN, IAS,
Commissioner/Secretary to the Government,
School Education Department.



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Wed., the 15th July, 2020/24th Asad., 1942. [No. 15-4

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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JAMMU AND KASHMIR GOVERNMENT,
MUNICIPAL COMMITTEE, NOWSHERA,

PLASTIC WASTE MANAGEMENT BYE-LAWS, 2020

Notification

Nowshera, the 15th of July, 2020.

In exercise of the powers conferred by clause (4) of rule 6 of
Plastic Waste Management Rules, 2016, the Authority hereby makes the
following bye-laws ; namely :ô

CHAPTER I

1. Short Title and Commencement.ô These bye-laws shall be
called the Municipal Committee, Nowshera, Plastic Waste Management
Bye-laws-2020.

- (ix) **“consent”** means the consent to establish and operate from Jammu and Kashmir State Pollution Control Board granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) ;
- (x) **“disintegration”** means the physical breakdown of a material into very small fragments ;
- (xi) **“energy recovery”** means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion and landfill gas recovery ;
- (xii) **“event”** means any gathering for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places etc. ;
- (xiii) **“extended producer’s responsibility”** means responsibility of a producer for the environmentally sound management of the product until the end of its life ;
- (xiv) **“food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form ;
- (xv) **“facility”** means the premises used for collection, storage, recycling, processing and disposal of plastic waste ;
- (xvi) **“Importer”** means a person who imports or intends to import and holds an Importer-Exporter Code Number, unless otherwise specifically exempted ;
- (xvii) **“Local Body”** for the purpose of these Bye-laws means JMC/SMC and other Local Bodies including Municipal Council/Committees in the Union Territory ;
- (xviii) **“manufacturer”** means and includes a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer ;

- (xix) **“multilayered packaging”** means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalized layers or aluminium foil, either in the form of a laminate or co-extruded structure ;
- (xx) **“Nuisance Detectors”** (NDs) means those employees of the Municipal Committee, Nowshera who are appointed by the authorities to detect the acts of public nuisance etc. related to plastic waste management ;
- (xxi) **“plastic”** means material which contains as an essential ingredient a high polymer, such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, polybutylene terephthalate ;
- (xxii) **“plastic sheet”** means sheet made of plastic ; which are banned as per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated 25-06-2018 ;
- (xxiii) **“plastic waste”** means any plastic discarded after use or after their intended use is over ;
- (xxiv) **“Prescribed authority”** means the authorities specified in Rule 12 of Plastic Waste Management and Handling Rules, 2016, and Commissioner, Municipal Corporations, Chief Executive Officer/Executive Officer, Urban Local Bodies ;
- (xxv) **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity ;
- (xxvi) **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products ;

(xxvii) **“registration”** means registration with the Jammu and Kashmir Pollution Control Board or Municipal Committee, Nowshera or statutory authority concerned, as the case may be ;

(xxix) **“use and throwaway plastics”** mean items such as plastic carry bags or plastic flags, plastic sheets used for food wrapping, spreading on dining table etc. plastic plates, plastic coated tea cups and plastic tumbler, water pouches and packets, plastic straw irrespective of thickness as defined and banned under G. O. No. 84 Environment and Forests (EC.2) Department dated 25-06-2018 and includeô

- i. Plastic sheet/cling film used for food wrapping ;
- ii. Plastic/plastic coated sheet used for spreading on dining table ;

- (i) Plastic thermocol plates ;
- (ii) Plastic coated paper plates ;

- (i) Plastic coated paper cups ;
- (ii) Plastic tea cups ÷
- (iii) Plastic tumbler ;
- (iv) Thermocol cups ;

(e) Plastic straw,

(f) Plastic carry bags and plastic flags

- (i) Plastic carry bags of all size and thickness ;
 - (ii) Plastic coated carry bags ;
 - (iii) Non-woven polypropylene carry bags ;
- (xxx) **“virgin plastic”** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste ;
- (xxxi) **“waste generator”** means and includes every person or group of persons or institutions, residential, and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments, places of worship which generate plastic waste ;
- (xxxii) **“waste management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner ;
- (xxxiii) **“Waste pickers”** mean individuals or agencies, groups of individuals voluntarily engaged or authorized for picking of recyclable plastic waste.

4. Conditions. (1) The manufacturer, importer, stocking, distribution, sale and use of plastic carry bags, sheets or like or covers made of plastic sheet and multilayered packing shall be subject to the following conditions, namely :

- (a) Plastic packaging shall either be in natural shade which is without any pigments or made using only those pigments and colorants which are in conformity with Indian Standard : IS 9833 : 1981 titled as "List of pigments and colorants for use in plastics in contact with food-stuffs, pharmaceuticals and drinking water" as amended from time to time ;
- (b) Products made of recycled plastics shall not be used for storing, carrying, dispensing or packaging ready to eat or drink stuffs ;

- (b) Plastic waste, which cannot be recycled, shall be channelized to Refuse Derived Fuel (RDF) plants/cement plants/pyrolysis plants or any other technologies. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with ;
- (c) Jammu and Kashmir Public Works Department, Municipal Corporations/Urban Local Bodies, Rural Development Departments through BDOs shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines ;
- (d) Thermo set plastic waste shall be processed and disposed of as per the guidelines issued from time to time by the Central Pollution Control Board ; and
- (e) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2016 or as amended from time to time.

6. Responsibilities of Municipal Committee.—

- (i) shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.
- (ii) The Municipal Committee, Nowshera, shall be responsible for setting up, operationalization and coordination of the waste management system and for performing the associated functions, namely :
 - (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste ;
 - (b) Ensuring that no damage is caused to the environment during this process ;
 - (c) Ensuring channelization of recyclable plastic waste fraction to recyclers ;
 - (d) Ensuring processing and disposal of non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board ;

- (f) Engaging civil societies or groups working with waste pickers ; and
- (g) Ensuring that open burning of plastic waste does not take place.
- (iii) The Municipal Committee, Nowshera shall seek assistance of producers and setup a system of plastic waste management as per of Plastic Waste Management Rules, 2016, or any other relevant law amended from time to time.
- (iv) Municipal Committee, Nowshera shall endeavour and encourage
 - a. Civil society organizations involved in plastic eradication in order to implement Plastic Waste Management Rules, 2016 and these Bye-laws ;
 - b. Self Help Groups (SHG) involved for segregation of waste processing. It may be encouraged for the purpose of technical guidance as well as implementation through appropriate organizations.
- (v) Municipal Committee, Nowshera, shall extend the Slum Adoption Program to the uncovered areas within their wards for solid waste management and plastic waste management, with the possible assistance of qualified Community Based Organizations (CBOs)/Non-Government Organizations (NGOs)/Voluntary Service Organizations (VSOs)/Self Help Groups (SHG) or other organizations holding statutory validations ;
- (vi) Cleanliness drives will be conducted by the Municipal Committee, Nowshera in association with public representatives, citizen organizations, Government bodies, corporates, NGOs for the cleanliness of areas inside the slums, from time to time, in association with CBOs participating in the Slum Adoption Program.

shall,ô

(5) All bulk waste generators shall install and maintain Reverse Vending Machine or any other appropriate system of recycling PET bottles as approved by Central Pollution Control Board/Jammu and Kashmir Pollution Control Board. If not, penalty will be levied as per Schedule-I.

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in **English mandatorily** and any number of other languages as optional,
namely :

- (a) Name and registration number of the manufacturer in case of multilayered packaging ; and
- (b) Name of the manufacturer and certificate number [4(g) of these Bye-laws] in case of carry bags made from compostable plastics.

(2) Each carry bag made from compostable plastics shall bear a label "compostable" and shall conform to the Indian Standard : IS or ISO 17088 : 2008 titled as Specifications for "Compostable Plastics" and also the Central Pollution Control Board License Number shall be mentioned.

11. Registration of producer, recyclers and manufacturers.

No person shall manufacture carry bags made from compostable plastics/ multilayered packaging without obtaining registration with Jammu and Kashmir Pollution Control Board within Municipal Committee, Nowshera limits.

12. Responsibilities of retailers and street vendors.

(1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags made with compostable plastics or multilayered packaging, which are not manufactured and labelled or marked, as prescribed under the Plastic Waste Management Rules, 2016, and Plastic Waste Management Bye-laws, 2020.

(2) Every retailer or street vendor selling or providing commodities in carry bags made with compostable plastics or multilayered packaging which are not manufactured or labelled or marked in accordance with these Bye-laws shall be liable to pay such fines as specified under the Bye-laws listed in Schedule-I.

13. Penalties for contravention of these Bye-laws.

(1) On and after the date of Notification of these Bye-laws, there will be a familiarization/awareness period of 30 days, after which, any contravention of these Bye-laws shall be punishable with fines as per the Schedule of Fines (Schedule-I) for every instance of breach of these Bye-laws. Subsequent contravention apart from first time will attract fine amount of minimum two times to maximum ten times for each and every act of offence.

In case of an offender not able to pay the fine as mentioned in Schedule-I, prosecution under the provisions made in City Police Act and District Police Act/Indian Penal Code/and other applicable Acts/Laws will be applicable on the offender.

14. Enforcement mechanism for Municipal Corporation and Urban Local Bodies. (1) The Executive Officer, Municipal Committee, Nowshera shall be the authority for enforcement of the provisions of these rules relating to plastic waste management by waste generator.

(2) The Executive Officer, Municipal Committee, Nowshera, shall take the assistance of the Deputy Commissioner concerned within the territorial limits of the jurisdiction of the Municipal Committee in the enforcement of the provisions of these Bye-laws.

(3) Periodical and Surprise checks : The Executive Officer, Municipal Committee, Nowshera, or any other officer as authorized by the Executive Officer will conduct surprise checks in various parts of the wards in the Committee limits at any point of time to enforce compliance of the Bye-laws. Any contravention of any clause of this Bye-law shall attract a fine as per Schedule-I of the Bye-laws.

(4) Enforcement Squads in each ward : The Nuisance Detectors defined in the Solid Waste Management Bye-laws, 2018 shall enforce the Plastic Waste Management Bye-laws, 2020.

15. Ban on one time use and throwaway plastics. (1) As per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated 25-06-2018, the Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies, shall enforce the direction of one time use throwaway plastic ban in exercise of power conferred on him/her by, law in their jurisdiction. The notification will come into effect on 1st January, 2020 :

- (a) No industry or person shall manufacture, store, supply, transport, sale or distribute, use and throwaway plastics as described in the definition ;
- (b) No person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use, use and throwaway plastics:

Provided that the plastic used for the following purposes are exempted.

- (c) The plastic carry bags, manufactured exclusively for export purpose against any export order in a plastic industry located in Special Economic Zone (SEZ) and Export Oriented Units (EOU) ;
- (d) The plastic bags which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing/processing units ;
- (e) The plastic bags and sheets used in Forestry and Horticulture nurseries against the orders from the Government Departments ;
- (f) The plastic used for packing of milk and milk products (dairy products), oil, medicine and medical equipments.

(2) Enforcement mechanism for ban on one time use and throwaway plastics is as follows :

- (a) Periodical and Surprise checks : Executive Officer, Municipal Committee, Nowshera, or any other Officer as authorized by the Executive Officer, will conduct surprise checks in various parts of the wards in the corporation limits at any point of time to enforce compliance of G. O. 84. Any contravention of any clause of this Bye-law shall attract a penalty as per Schedule-I of the Bye-laws ;
- (b) Inspection Authority : Sanitary Inspector shall serve in the capacity of Inspection Authority. Fine levying authorities i. e., the concerned Sanitary Inspector is, hereby, authorized to levy fines for violation of G. O. and notification cited in Schedule-I of the Bye-laws in their respective jurisdictions. The fine levying authority shall maintain a register mentioning details of commercial establishment name, offence number, fine amount, Corporation/Council/Committee trade license number and for street vendors, street vending ID card number. The fine levying authority shall deposit the fine amount (i. e. 1st/2nd/3rd instances) in GCC Treasury through challan within 24 hours/next working day ;
- (c) Zonal Level Committee for monitoring : Zonal Level Committee will be headed by Health Officer (Head)/Assistant Sanitation Officer, with/Enforcement Officer, Anti-polythene Officer, and

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Revenue Officer as its members for Municipal Committee, Nowshera. The Urban Local bodies shall be represented by concerned CEOs/EOs as the member of the Committee. The Committee shall periodically monitor the implementation ;

- (d) Appellate Authority : The Zonal Officers shall serve in the capacity of "Appellate Authority". If the violator has any grievances related to the fines levied by the Inspection Authority, the violator after payment of fine may appeal to the Appellate authority i. e., Zonal Officer within 15 days of receipt of fine imposition challan from Inspection Authority. Upon receipt of such appeals, the Appellate Authority shall enquire and dispose the appeal by passing speaking orders. If the appellant submits evidence and Appellate Authority is convinced that fine is levied wrongly or in excess, it may be rectified immediately and fine levied and paid may be returned ;
- (e) Revision Authority : The concerned Commissioners of Corporations/Directors of concerned ULBs/ACD, Rural Development and District Panchayat Officer, shall serve as the "Revision Authority". Further, against the orders of the Appellate Authority, appellants can file review petition with the Revision Authority i. e., respective Deputy Commissioner within 15 days of receipt of orders by Appellate Authority. The Revision Authority shall enquire and dispose the appeal with final orders. If the appellant submits evidence and Revision Authority is convinced that fine is levied wrongly or in excess, it may be rectified immediately and fine levied and paid may be returned forthwith ;
- (f) Penalties : Penalty will be levied as per Jammu and Kashmir Municipal Corporation Act, 2000/Jammu and Kashmir Municipal Act, 2000 and as per Schedule-I in these Bye-laws ;
- (g) Collection of Penalties : The fines shall be deposited in the Municipal Committee, Nowshera. A separate budget code shall be established for this purpose.

- (a) Register with the Public Health and Sanitation Wing of Municipal Committee, Nowshera in Registration Form-I along with following fee :ô

For waste channelizers - Rs. 300/-

For Recyclers/Processors/Dealers - Rs. 500/-

- (b) Submit an annual report in Form-II to Municipal Committee, Nowshera under intimation to the Jammu and Kashmir Pollution Control Board by the 30th April of every year.

(2) Jammu/Srinagar Municipal Corporation/Council/Committee shall prepare and submit an annual report in Form-III to the concerned Secretary Incharge of the Urban Development Department under intimation to the concerned Jammu and Kashmir Pollution Control Board by the 30th June every year.

17. Jurisdiction of Courts. For filing cases against the Bye-laws, the jurisdiction is Jammu/Srinagar only.

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SCHEDULE OF FINES

[illegible]

1. Retailers, Street Vendors and

- | | |
|--|-------------------|
| <p>(xxxv) Name of the manufacturer and certificate number (Bye-law 4h) in case of carry bag made from compostable plastics with ISO Code as approved by Central Pollution Control Board/J&K Pollution Control Board and should be labeled as “compostable” printed in English mandatorily and any number of other languages as optional.-Any breach of this.</p> | <p>Rs. 1000/-</p> |
|--|-------------------|

Executive Officer,
Committee, Nowshera.

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1.	Name and Address of the Unit				
2.	Contact person with designation, Tel./ Fax/e-mail				
3.	Date of commencement				
4.	No. of workers (including contract labour)				
5.	Waste Management	S.No.	Type	Category	Qty.
	(a) Waste generation in processing plastic waste	I			
		II			
	(b) Waste collection and transportation (attach details)				
	(c) Waste Disposal details	S.No.	Type	Category	Qty.
		I			
	(d) Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC				
	(e) Please attach analysis report of characterization of waste generated (including leachate test if applicable)				

6.	Occupational safety and health aspects	Please provide details of facilities
7.	Pollution Control Measures :	
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluents	If yes, please furnish details
	Whether unit is in compliance with conditions laid down in the said rules	Yes/No
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment	Yes/No
	Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e. g. leachate) which may possess eco-toxicity.	Yes/No
8.	Any other relevant information including fire or accident mitigative measures	
Date :		Name and signature
Place :		Designation

Place :

**FORMAT FOR ANNUAL REPORT ON PLASTIC
WASTE MANAGEMENT TO BE SUBMITTED
BY THE LOCAL BODY**

1. Name of the City or Town and State :
2. Population :
3. Area in Sq./kilometers :
4. Name and Address of Local bodyô
 - Telephone No. :
 - Fax No. :
 - E-Mail :
5. Total number of the wards in the area under jurisdiction
6. Total number of Households in the area under jurisdiction
7. Number of households covered by door to door collections
8. Total number of commercial establishments and Institutions in the area under jurisdictionô
 - Commercial establishments
 - Institutions
9. Number of commercial establishments and Institutions covered by door to door collectionô
 - Commercial establishments
 - Institutions
10. Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection

11. Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction

12. Attach details of infrastructure required, if any, along with justification

13. Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)

14. Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)

15. Quantity of Plastic Waste channelized for recycling during the year (in tons)

16. Quantity of Plastic Waste channelized for use during the year (in tons)

17. Quantity of inert or rejects sent to landfill sites during the year (in tons)

18. Details of each of facilities used for processing and disposal of plasticô

Facility-I :

1. Name of operator

2. Address with Telephone
Number or Mobile

- ### 3. Capacity

- #### 4. Technology Used

- ## 5. Registration Number

- ## 6. Validity of Registration (up to)



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JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Tue., the 28th July, 2020/6th Srav., 1942. [No. 17-5

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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MUNICIPAL COMMITTEE, LAKHANPUR,
PLASTIC WASTE MANAGEMENT BYE-LAWS, 2020,
JAMMU AND KASHMIR GOVERNMENT.

Notification

Lakhanpur, the 28th of July, 2020.

In exercise of the powers conferred by clause (4) of rule 6 of
Plastic Waste Management Rules, 2016, the Authority hereby makes the
following bye-laws ; namely :ô

CHAPTER I

1. Short Title and Commencement.ô These bye-laws shall be
called the Municipal Committee, Lakhanpur, Plastic Waste Management
Bye-laws-2020.

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consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue ;

- (i) **“Consent”** means the consent to establish and operate from Jammu and Kashmir State Pollution Control Board granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) ;
- (j) **“Disintegration”** means the physical breakdown of a material into very small fragments ;
- (k) **“Energy recovery”** means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion and landfill gas recovery ;
- (l) **“Event”** means any gathering for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places etc. ;
- (m) **“Extended producer’s responsibility”** means responsibility of a producer for the environmentally sound management of the product until the end of its life ;
- (n) **“Food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form ;
- (o) **“Facility”** means the premises used for collection, storage, recycling, processing and disposal of plastic waste ;
- (p) **“Importer”** means a person who imports or intends to import and holds an Importer-Exporter Code Number, unless otherwise specifically exempted ;
- (q) **“Local Body”** for the purpose of these Bye-laws means Municipal Committee, Municipal Councils, Municipal Corporations and Village Panchayats ;
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- (u) **“Plastic”** means material which contains as an essential ingredient a high polymer, such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, polybutylene terephthalate ;
- (v) **“Plastic sheet”** means sheet made of plastic ; which are banned as per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated 25-06-2018 ;
- (w) **“Plastic waste”** means any plastic discarded after use or after their intended use is over ;
- (x) **“Prescribed authority”** means the authorities specified in Rule 12 of Plastic Waste Management and Handling Rules, 2016, and Commissioner, Municipal Corporations, Chief Executive Officer/Executive Officer, Urban Local Bodies/ Gram Panchayat ;
- (y) **“Producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity ;
- (z) **“Recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products ;

(aa) **“Registration”** means registration with the Jammu and Kashmir Pollution Control Board or Jammu/Srinagar Municipal Corporation or statutory authority concerned, as the case may be ;

(cc) **“Use and throwaway plastics”** mean items such as plastic carry bags or plastic flags, plastic sheets used for food wrapping, spreading on dining table etc. plastic plates, plastic coated tea cups and plastic tumbler, water pouches and packets, plastic straw irrespective of thickness as defined and banned under G. O. No. 84 Environment and Forests (EC.2) Department dated 25-06-2018 and include

- Plastic sheet/cling film used for food wrapping ;
- Plastic/plastic coated sheet used for spreading on dining table ;

- Plastic thermocol plates ;
- Plastic coated paper plates ;

- Plastic coated paper cups ;
- Plastic tea cups ÷
- Plastic tumbler ;
- Thermocol cups ;

(e) Plastic straw,

(f) Plastic carry bags and plastic flags

- Plastic carry bags of all size and thickness ;
- Plastic coated carry bags ;
- Non-woven polypropylene carry bags ;

(dd) “**Virgin plastic**” means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste ;

(ee) **“Waste generator”** means and includes every person or group of persons or institutions, residential, and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments, places of worship which generate plastic waste ;

(ff) **“Waste management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner ;

(gg) **“Waste pickers”** mean individuals or agencies, groups of individuals voluntarily engaged or authorized for picking of recyclable plastic waste.

4. Conditions. (1) The manufacturer, importer, stocking, distribution, sale and use of plastic carry bags, sheets or like or covers made of plastic sheet and multilayered packing shall be subject to the following conditions, namely :

- (a) Plastic packaging shall either be in natural shade which is without any pigments or made using only those pigments and colorants which are in conformity with Indian Standard : IS 9833 : 1981 titled as "List of pigments and colorants for use in plastics in contact with food-stuffs, pharmaceuticals and drinking water" as amended from time to time ;
- (b) Products made of recycled plastics shall not be used for storing, carrying, dispensing or packaging ready to eat or drink stuffs ;

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- (b) Plastic waste, which cannot be recycled, shall be channelized to Refuse Derived Fuel (RDF) plants/cement plants/pyrolysis plants or any other technologies. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with ;
- (c) Jammu and Kashmir Public Works Department, Municipal Corporations/Urban Local Bodies, Rural Development Departments through BDOs shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines ;
- (d) Thermo set plastic waste shall be processed and disposed of as per the guidelines issued from time to time by the Central Pollution Control Board ; and
- (e) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2016 or as amended from time to time.

6. Responsibilities of Municipal Corporation/Urban Local Bodies/Village Panchayats.—

- (A) The Jammu/Srinagar, Municipal Corporations, Urban Local Bodies and Village Panchayats shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.
- (B) The Municipal Corporations, Urban Local Bodies and Gram Panchayats, shall be responsible for setting up, operationalization and coordination of the waste management system and for performing the associated functions, namely :ô
 - (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste ;
 - (b) Ensuring that no damage is caused to the environment during this process ;
 - (c) Ensuring channelization of recyclable plastic waste fraction to recyclers ;
 - (d) Ensuring processing and disposal of non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board ;

- (e) Creating awareness among all stakeholders about their responsibilities ;
 - (f) Engaging civil societies or groups working with waste pickers ; and
 - (g) Ensuring that open burning of plastic waste does not take place.
- (C) The Municipal Corporations, Urban Local Bodies and Village Panchayats shall seek assistance of producers and setup a system of plastic waste management as per of Plastic Waste Management Rules, 2016, or any other relevant law amended from time to time.
- (D) Municipal Corporations and Urban Local Bodies shall endeavour and encourageô
- a. Civil society organizations involved in plastic eradication in order to implement Plastic Waste Management Rules, 2016 and these Bye-laws ;
 - b. Self Help Groups (SHG) involved for segregation of waste processing. It may be encouraged for the purpose of technical guidance as well as implementation through appropriate organizations.
- (E) Municipal Corporations and Urban Local Bodies shall extend the Slum Adoption Program to the uncovered areas within their wards for solid waste management and plastic waste management, with the possible assistance of qualified Community Based Organizations (CBOs)/Non-Government Organizations (NGOs)/Voluntary Service Organizations (VSOs)/Self Help Groups (SHG) or other organizations holding statutory validations ;

7. Responsibilities of waste generator. (1) The waste generator shall,

- (a) Not use plastic items banned under G. O. No. 84 Environment and Forests (EC.2) Department ;
- (b) Take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the

- (5) All bulk waste generators shall install and maintain Reverse Vending Machine or any other appropriate system of recycling PET bottles as approved by Central Pollution Control Board/Jammu and Kashmir Pollution Control Board. If not, penalty will be levied as per Schedule-I.

Owners. (1) Primary responsibility for collection of used multilayered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners, who introduce the products in the market, they need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection is to be submitted to the Jammu and Kashmir Pollution Control Board while applying for consent to Establish

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or Operate or Renewal. The Brand Owners, whose consent has been renewed before the notification of these rules, shall submit such plan within one year from the date of notification of these Bye-laws.

(2) The producers shall work out modalities for waste collection system based on Extended Producers Responsibility and inform Municipal Corporation, Urban Local Bodies and Village Panchayats accordingly within 6 months from the notification of Plastic Waste Management Bye-Laws, 2020.

(3) Multilayered plastic which is non-recyclable or non-energy recoverable or with no alternate use of plastic shall not be used in Municipal Corporation/Urban Local Bodies/Village Panchayats limits.

(4) All producers shall submit an application to the Jammu and Kashmir Pollution Control Board for grant of registration, for production of plastics.

(5) No producer shall use any plastic or multilayered packaging for packaging of commodities without registration from the Jammu and Kashmir Pollution Control Board.

(6) All marketing companies, manufacturers, brand owners shall educate masses for disposal of plastic waste.

9. Protocols for compostable plastic materials. Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule-II of these Bye-laws.

10. Marking and/or labelling. (1) Each carry bag made from compostable plastics should be as per Plastic Management Rules, and multilayered packaging shall have the following information printed in English mandatorily and any number of other languages as optional, namely :

- (a) Name and registration number of the manufacturer in case of multilayered packaging ; and
- (b) Name of the manufacturer and certificate number [4(g) of these Bye-laws] in case of carry bags made from compostable plastics.

(2) Each carry bag made from compostable plastics shall bear a label "compostable" and shall conform to the Indian Standard : IS or ISO 17088 : 2008 titled as Specifications for "Compostable Plastics" and also the Central Pollution Control Board License Number shall be mentioned.

No person shall manufacture carry bags made from compostable plastics/multilayered packaging without obtaining registration with Jammu and Kashmir Pollution Control Board with Jammu and Srinagar Municipal Corporation/Urban Local Bodies/Village Panchayats limits.

(1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags made with compostable plastics or multilayered packaging, which are not manufactured and labelled or marked, as prescribed under the Plastic Waste Management Rules, 2016, and Plastic Waste Management Bye-laws, 2020.

(2) Every retailer or street vendor selling or providing commodities in carry bags made with compostable plastics or labelled or marked in accordance with these Bye-laws shall be liable to pay such fines as specified under the Bye-laws listed in Schedule-I.

13. Penalties for contravention of these Bye-laws. (1) On and after the date of Notification of these Bye-laws, there will be a familiarization/awareness period of 30 days, after which, any contravention of these Bye-laws shall be punishable with fines as per the Schedule of Fines (Schedule-I) for every instance of breach of these Bye-laws. Subsequent contravention apart from first time will attract fine amount of minimum two times to maximum ten times for each and every act of offence.

(2) In case of an offender not able to pay the fine as mentioned in Schedule-I, prosecution under the provisions made in City Police Act/ Indian Penal Code/and other applicable Acts/Laws will be applicable on the offender.

14. Enforcement mechanism for Municipal Corporation and Urban Local Bodies.

(1) The Commissioner, Jammu/Srinagar Municipal

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Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies shall be the authority for enforcement of the provisions of these rules relating to plastic waste management by waste generator.

(2) The Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies, shall take the assistance of the Deputy Commissioner within the territorial limits of the jurisdiction of the Municipal Corporation in the enforcement of the provisions of these Bye-laws.

(3) Periodical and Surprise checks : The Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies or any other officer as authorized by the Commissioner/Chief Executive Officer/Executive Officer will conduct surprise checks in various parts of the wards in the Committee limits at any point of time to enforce compliance of the Bye-laws shall attract a fine as per Schedule-I of the Bye-laws.

(4) Enforcement Squads in each ward : The Nuisance Detectors defined in the Solid Waste Management Bye-laws, 2019 shall enforce the Plastic Waste Management Bye-laws, 2020.

15. Ban on one time use and throwaway plastics. (1) As per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated 25-06-2018, the Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies, shall enforce the direction of one time use throwaway ban in exercise of power conferred on him/her by, law in their jurisdiction. The notification will come into effect on 1st January, 2020 :

- (a) No industry or person shall manufacture, store, supply, transport, sale or distribute, use and throwaway plastics as described in the definition ;
- (b) No person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use, use and throwaway plastics:

Provided that the plastic used for the following purposes are exempted :

- (a) The plastic carry bags, manufactured exclusively for export purpose against any export order in a plastic industry

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located in Special Economic Zone (SEZ) and Export

Oriented Units (EOU) ;

(b) The plastic bags which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing/processing units ;

(c) The plastic bags and sheets used in Forestry and Horticulture nurseries against the orders from the Government Departments ;

(d) The plastic used for packing of milk and milk products (dairy products), oil, medicine and medical equipments.

(2) Enforcement mechanism for ban on one time use and throwaway plastics is as follows :ô

(a) Periodical and Surprise checks : The Commissioner, Jammu/ Srinagar Municipal Corporations and Chief Executive Officer/ Executive Officer, Urban Local Bodies or any other Officer as authorized by the Commissioner/CEO/EO, will conduct surprise checks in various parts of the wards in the Committee limits at any point of time to enforce compliance of G. O. 84. Any contravention of any clause of these Bye-laws shall attract a penalty as per Schedule-I of the Bye-laws ;

(b) Inspection Authority : Sanitary Inspector shall serve in the capacity of ôInspection Authorityö. Fine levying authorities i. e., the concerned Sanitary Inspector is, hereby, authorized to levy fines for violation of G. O. and notification cited in Schedule-I of the Bye-laws in their respective jurisdictions. The fine levying authority shall maintain a register mentioning details of commercial establishment name, offence number, fine amount, Corporation/Council/Committee trade license number and for street vendors, street vending ID card number. The fine levying authority shall deposit the fine amount (i. e. 1st/2nd/3rd instances) in GTC Treasury through challan within 24 hours/next working day ;

(c) Zonal Level Committee for monitoring : Zonal Level Committee will be headed by Health Officer (Head), with Chief Sanitation Officer/Assistant Sanitation Officer/Chief Enforcement Officer, Anti-polythene Officer, and Chief

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Revenue Officer as its members for Municipal Corporation.
The Urban Local bodies shall be represented by concerned
CEOs/EOs while as for Gram Panchayats concerned BDOs
and Panchayat Officers shall be members of the Committee.
The Committee shall periodically monitor the implementation
;

- (d) Appellate Authority : The Zonal Officers shall serve in the capacity of "Appellate Authority". If the violator has any grievances related to the fines levied by the Inspection Authority, the violator after payment of fine may appeal to the Appellate authority i. e., Zonal Officer within 15 days of receipt of fine imposition challan from Inspection Authority. Upon receipt of such appeals by passing speaking orders. If the appellant submits evidence and Appellate Authority is convinced that fine is levied wrongly or in excess, it may be rectified immediately and fine levied and paid may be returned ;
- (e) Revision Authority : The concerned Commissioners of Corporations/Directors of concerned ULBs/ACD, Rural Development and District Panchayat Officers, shall serve as the "Revision Authority". Further, against the orders of the Appellate Authority, appellants can file review petition with the Revision Authority i. e., respective Deputy Commissioner within 15 days of receipt of orders by Appellate Authority with final orders. If the appellant submits evidence and Revision Authority is convinced that fine is levied wrongly or in excess, it may be rectified immediately and fine levied and paid may be returned forthwith ;
- (f) Penalties : Penalty will be levied as per Jammu and Kashmir Municipal Corporation Act, 2000/Jammu and Kashmir Municipal Act, 2000 and as per Schedule-I in these Bye-laws ;
- (g) Collection of Penalties : The fines shall be deposited in the Jammu/Srinagar Municipal Corporation/Municipal Committee/ Committees. A separate budget code shall be established for this purpose.

- For Waste Channelizers - Rs. 300/-
For Recyclers/Processors/Dealers - Rs. 500/-

18. Jurisdiction of Courts. For filing cases against the Bye-laws, the jurisdiction is Jammu/Srinagar only.

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SCHEDULE-I

Schedule of Fines

S. No.	Description of Bye-law	Amount of fine applicable for breach for By-law
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1 2 3

1. Retailers, Street Vendors and Commercial establishments selling or providing commodities to consumer in compostable carry bags, carry bags made of compostable plastics, and multilayered packaging which are NOT MARKED AND LABELLED as per norms prescribed in Plastic Waste Management By-laws, 2019.
 - (a) Name, Registration Number of manufacturer and thickness in case of Multilayered packaging and should be labeled as "Recyclable" or "**compostable**" printed in English mandatorily and any number of other languages as optional,-Any breach of this.
 - (b) Name of the manufacturer and certificate number (Bye-law 4h) in case of carry bag made from compostable plastics with ISO Code as approved by Central Pollution Control Board/J&K Pollution Control Board and should be labeled as "compostable" printed in English mandatorily and any number of other languages as optional,-Any breach of this.

(See By-Law 9)

(See By-Law 9)

- Executive Officer,

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1.	Name and Address of the Unit				
2.	Contact person with designation, Tel./ Fax/e-mail				
3.	Date of commencement				
4.	No. of workers (including contract labour)				
5.	Waste Management	S.No.	Type	Category	Qty.
	(a) Waste generation in processing plastic waste	I			
		II			
	(b) Waste collection and transportation (attach details)				
	(c) Waste Disposal details	S.No.	Type	Category	Qty.
		I			
	(d) Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC				
	(e) Please attach analysis report of characterization of waste generated (including leachate test if applicable)				

Place :

FORM-III

[See Rule 16(2)]

**FORMAT FOR ANNUAL REPORT ON PLASTIC
WASTE MANAGEMENT TO BE SUBMITTED
BY THE LOCAL BODY**

Period of Reporting :

1. Name of the City or Town and State :
2. Population :
3. Area in Sq./Kilometers :
4. Name and Address of Local bodyô
 - Telephone No. :
 - Fax No. :
 - E-Mail :
5. Total number of the wards in the area under jurisdiction
6. Total number of Households in the area under jurisdiction
7. Number of households covered by door to door collections
8. Total number of commercial establishments and Institutions in the area under jurisdictionô
 - Commercial establishments
 - Institutions
9. Number of commercial establishments and Institutions covered by door to door collectionô
 - Commercial establishments
 - Institutions
10. Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection

11. Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction
12. Attach details of infrastructure required, if any, along with jurisdiction
13. Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)
14. Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)
15. Quantity of Plastic Waste channelized for recycling during the year (in tons)
16. Quantity of Plastic Waste channelized for use during the year (in tons)
17. Quantity of inert or rejects sent to landfill sites during the year (in tons)
18. Details of each of facilities used for processing and disposal of plasticô

Facility-I :

1. Name of operator
2. Address with Telephone Number or Mobile
3. Capacity
4. Technology Used
5. Registration Number
6. Validity of Registration (up to)

Executive Officer,
Municipal Committee, Lakhanpur.